

REMARKS/ARGUMENTS

Re-examination and favorable reconsideration in light of the above amendments are respectfully requested.

In the office action mailed September 15, 2008, restriction was required between the following groups of invention:

I. Claims 24-34, drawn to a method for continuously drawing and mixing liquid samples; and

II. Claims 35-46 drawn to a device for drawing and mixing samples.

Applicants hereby elect Group II, claims 35-46, for the purposes of examination. The election is made with traverse.

In the Office Action, the basis for the restriction was that the method can be used without using an intermediate sampling chamber between the container and the mixing chamber. By the present amendment, claims 24 and 32 have been amended to include the step of "placing each of the samples drawn respectively in an intermediate sampling chamber." Thus, the basis for the restriction requirement is no longer valid. The restriction requirement should be withdrawn and claims 24-34 should be examined with claims 35-46.

An early action on the merits is respectfully solicited.

Should the Examiner believe an amendment is needed to place the case in condition for allowance, the Examiner is hereby

invited to contact Applicant's attorney at the telephone number listed below.

A request for a three month extension of time is enclosed herewith. The Director is hereby authorized to charge the extension of time fee of \$1,110.00 to Deposit Account No. 02-0184.

If the Director determines an additional fee is due, he is hereby authorized to charge said fee to Deposit Account No. 02-0184.

Respectfully submitted,

Jean-Pierre Hermet et al.

By /Barry L. Kelmachter #29999/

Barry L. Kelmachter
BACHMAN & LaPOINTE, P.C.
Reg. No. 29,999
Attorney for Applicants

Telephone: (203)777-6628 ext. 112

Telefax: (203)865-0297

Email: docket@bachlap.com

Date: January 7, 2009